UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

DELAINA A. MALCOLM,)		
Plaintiff,)		
v.)	No.:	3:06-CV-373 (VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)		(VARLAN/SHIKLET)
Commissioner of Social Security,)		
Defendant.)		

ORDER

For the reasons stated in the memorandum opinion filed contemporaneously with this order, plaintiff's objections to the report and recommendation of the magistrate judge [Doc. 21] are hereby **OVERRULED**. The report and recommendation [Doc. 20] is **ACCEPTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

It is **ORDERED**, for the reasons stated in the report and recommendation, which the Court adopts and incorporates into its ruling, that plaintiff's motion for summary judgment [Doc. 16] is **DENIED**; defendant Commissioner's motion for summary judgment [Doc. 18] is **GRANTED**; and defendant Commissioner's decision in this case denying plaintiff's application for disability and supplemental security income benefits under the Social Security Act is **AFFIRMED**. This case is **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE